



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

July 06, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

#33 JULY 6, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

RESOLUTION OF SUMMARY VACATION FOR RIDING AND HIKING TRAIL EASEMENTS EAST OF 8TH AVENUE CITY OF ARCADIA (SUPERVISORIAL DISTRICT 5) (3 VOTES)

SUBJECT

This action will allow the County of Los Angeles to vacate easements for riding and hiking trail purposes, east of 8th Avenue, in the City of Arcadia, which are no longer needed for public use. The vacation has been requested by EGL Associates, on behalf of the underlying fee owner, Dexter 8th Avenue, LLC, to permit the development of a five-lot subdivision to build new homes.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that:
 - a. The easements for riding and hiking trail purposes, east of 8th Avenue, have not been used for the purpose for which they were dedicated or acquired for five consecutive years immediately preceding the proposed vacation, and that they may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
 - b. The easements for riding and hiking trail purposes, east of 8th Avenue, have been superseded by relocation and there are no other public facilities located within the easements, and that they may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

c. The easements for riding and hiking trail purposes, east of 8th Avenue, are not useful as nonmotorized transportation facilities as required by Section 892 of the California Streets and Highways Code.

3. Adopt the Resolution of Summary Vacation.

4. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is exempt from the California Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easements for riding and hiking trail purposes (easements), east of 8th Avenue, in the City of Arcadia, since they no longer serve the purpose for which they were dedicated and are not required for public use after the condition stated hereon has been met to the satisfaction of the Department of Public Works (Public Works).

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The vacation of the easements will result in added revenue through assessment and taxation and will enhance the public's accessibility to and enjoyment of the trail.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the easements will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,000 fee to defray the expense of the investigation. The fee was authorized by your Board in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 1,988 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation. As a condition of this vacation, Dexter 8th Avenue, LLC, the underlying property owner, will be dedicating an area of approximately 2,318 square feet to the County as an easement for riding and hiking trail purposes.

The California Streets and Highways Code Section 8333 provides "The legislative body of a local agency may summarily vacate a public service easement in any of the following cases: (a) The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; (c) The easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement."

The County's interests in the easements were recorded on November 3, 1949, as Instrument No. 2143, in Book 31399, page 227, on February 18, 1955, as Instrument No. 4458, in Book 46962, page 97, and on February 18, 1955, as Instrument No. 4459, in Book 46962, page 99, all of Official Records, in the office of the Los Angeles County Registrar-Recorder/County Clerk as easements for riding and hiking trail purposes.

EGL Associates, on behalf of the underlying fee owner Dexter 8th Avenue, LLC, requested the vacation of the easement to permit the development of a five-lot subdivision to build new homes. The vacation of the easements provides an additional buildable area. Also, the condition to dedicate a replacement easement for riding and hiking trail purposes will provide the County with necessary rights over the existing riding and hiking trail. The existing trail is maintained by the Department of Parks and Recreation and is adjacent to the Santa Anita Wash, which is within a Los Angeles County Flood Control District easement.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interest in the easements. Your action will result in the property being unencumbered by the easements and available to the property owner for use without restriction of the easements.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Sections 15305 and 15321 of the State CEQA Guidelines which state that this class of projects consisting of minor alterations in land use, limitations and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow the unnecessary riding and hiking trail easements to be extinguished, and a replacement easement to be dedicated for the existing trail maintained by the Department of Parks and Recreation. The residents of the nearby County unincorporated area and cities will benefit and their quality of life will be further improved.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
RIDING AND HIKING TRAIL EASEMENTS EAST OF 8TH AVENUE
(CONDITIONAL)**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of easements for riding and hiking trail purposes (hereinafter referred to as the Easements) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easements, east of 8th Avenue, are located in the City of Arcadia in the County of Los Angeles, State of California.
2. The Easements have not been used for the purpose for which they were dedicated or acquired for five years consecutive years immediately preceding the proposed vacation.
3. The Easements have been superseded by relocation and there are no other public facilities located within the easements.
4. The Easements are not useful as nonmotorized transportation facilities as defined in Section 887 of the California Streets and Highways Code.
5. The Easements are hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
6. The vacation of the Easements is conditioned upon the fee owner dedicating a replacement easement for riding and hiking trail purposes over the existing trail. This condition must be met to the satisfaction of the Department of Public Works within one year of the date this resolution is adopted by the Board of Supervisors or the vacation will terminate and become null and void.
7. Upon the satisfaction of the condition specified in paragraph 6, above, the Department of Public Works is authorized to record the certified original resolution in the office of the Los Angeles County Registrar-Recorder/County Clerk, at which time the Easements will no longer be public easements.
8. From and after the date this resolution is recorded, the Easements will no longer constitute public service easements.

The foregoing resolution was on the 6 day of July, 2010, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Julia Weisman
Deputy

By Andrea Ordina
Deputy

JLS:mr

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EXHIBIT A

Project Name: **RIDING AND HIKING TRAIL
EAST OF 8TH AVENUE 31-96VAC**
Includes: Parcel Nos. 31-97VAC AND 31-98VAC
Affects: Santa Anita Wash Parcel Nos. 3, 4, and 76
36-RW 9.1
A.I.N. 5780-023-069, 070, and 082
T.G. 567-F7
I.M. 144-277
R.D. CITY OF ARCADIA
S.D. 5
M1088112

LEGAL DESCRIPTION

PARCEL NO. 31-96VAC (Vacation of riding and hiking trail easement):

That portion of Lot 76 of Tract No. 808 as shown on map recorded in Book 16, pages 82 and 83, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, within that certain parcel of land described in deed to said county recorded on February 18, 1955, as Instrument No. 4458, in Book 46962, page 97, of Official Records, in the office of said Registrar-Recorder/County Clerk.

PARCEL NO. 31-97VAC (Vacation of riding and hiking trail easement):

That portion of above-mentioned lot within that certain parcel of land described in deed to County of Los Angeles, recorded on February 18, 1955, as Instrument No. 4459, in Book 46962, page 99, of above-mentioned Official Records.

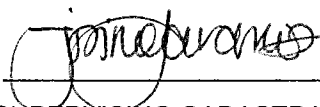
PARCEL NO. 31-98VAC (Vacation of riding and hiking trail easement):

That portion of above-mentioned lot within that certain parcel of land described in deed to County of Los Angeles, recorded on November 3, 1949, as Instrument No. 2143, in Book 31399, page 227, of above-mentioned Official Records.

EXHIBIT A

RIDING AND HIKING TRAIL EAST OF 8TH AVENUE

Total area of PARCEL NOS. 31-96VAC, 31-97VAC, and 31-98VAC
containing: 1988± square feet

APPROVED AS TO DESCRIPTION
<u>June 8, 2010</u>
COUNTY OF LOS ANGELES
By <u></u>
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping & Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

RA:mr

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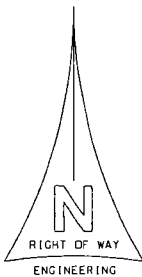
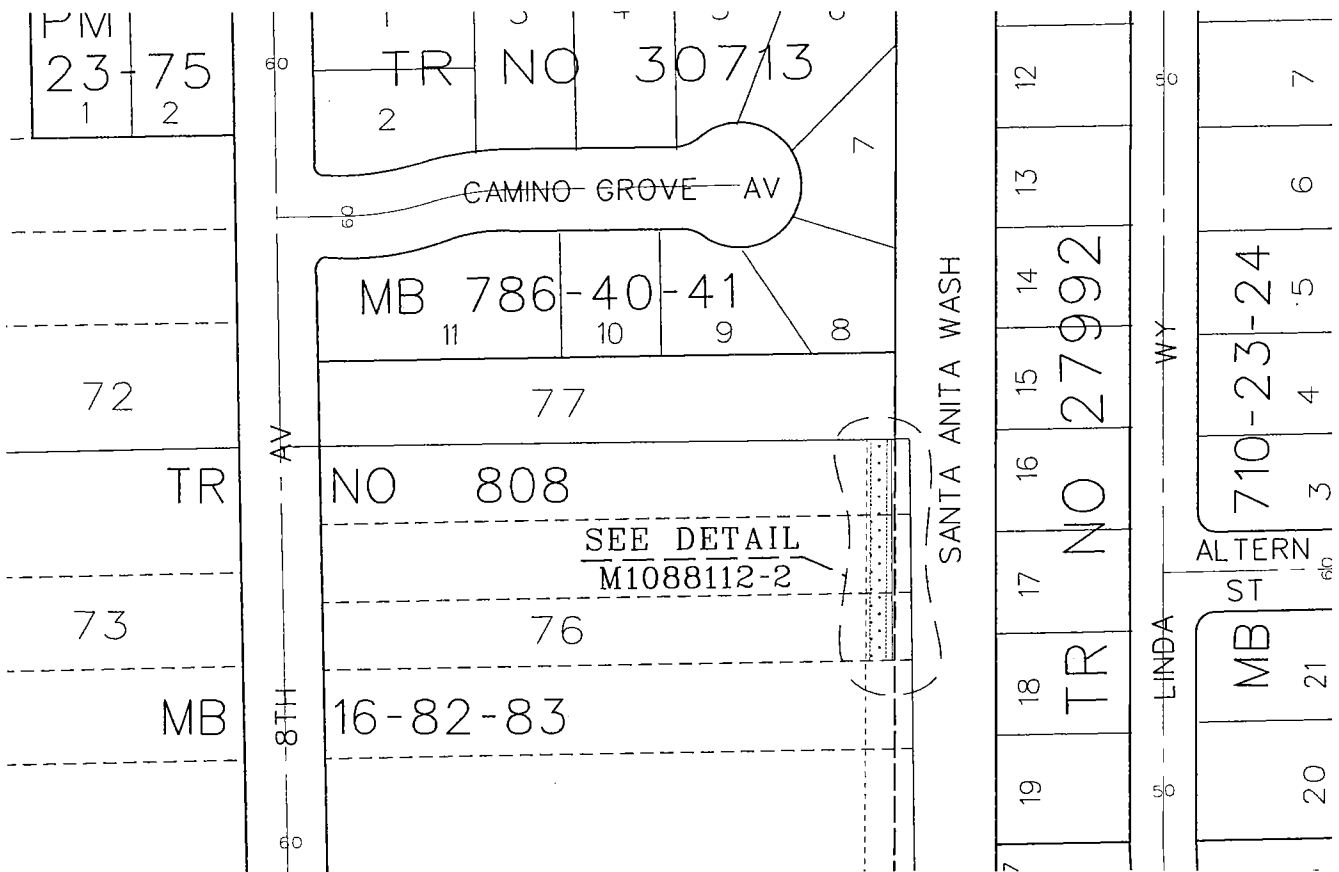
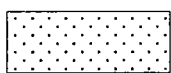


EXHIBIT B

CITY OF ARCADIA

LEGEND



Proposed area to be vacated
Total Area = 1988± s.f.

REVISIONS

1.

2.

3.

DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.
5

RD.

A.I.N.
5780-023

T.G.
567-F7

SCALE
NONE

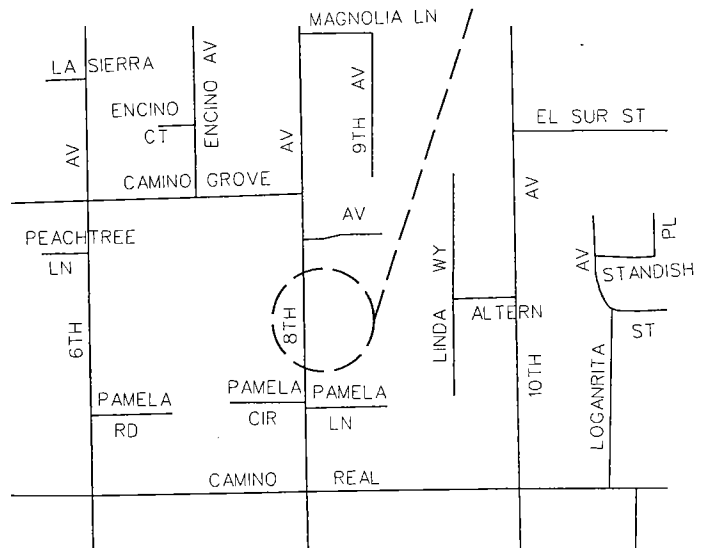
DATE
6-07-10

I.M.
144-277

RIDING AND HIKING TRAIL
EAST OF 8TH AVENUE

DRAWING NO.
M1088112-1

SUBJECT
LOCATION



77

NORTHERLY LINE OF LOT 76

31-96VAC

A.I.N. 5780-023-069

TR NO 808

A.I.N. 5780-023-070
76

31-97VAC

MB 16-82-83

A.I.N. 5780-023-082

31-98VAC

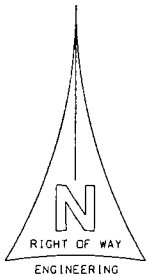
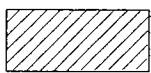
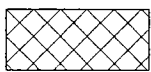


EXHIBIT B

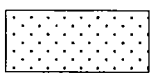
CITY OF ARCADIA



Proposed riding and hiking
easement to be vacated
Total Area = 1988± s.f.



Proposed riding and hiking
easement to be dedicated
Total Area = 2318± s.f.



Existing flood control
easement for Santa
Anita Wash

REVISIONS

1.	2.	3.
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.
5

RD.

A.I.N.
5780-023

T.G.
567-F7

DRAWING NO.

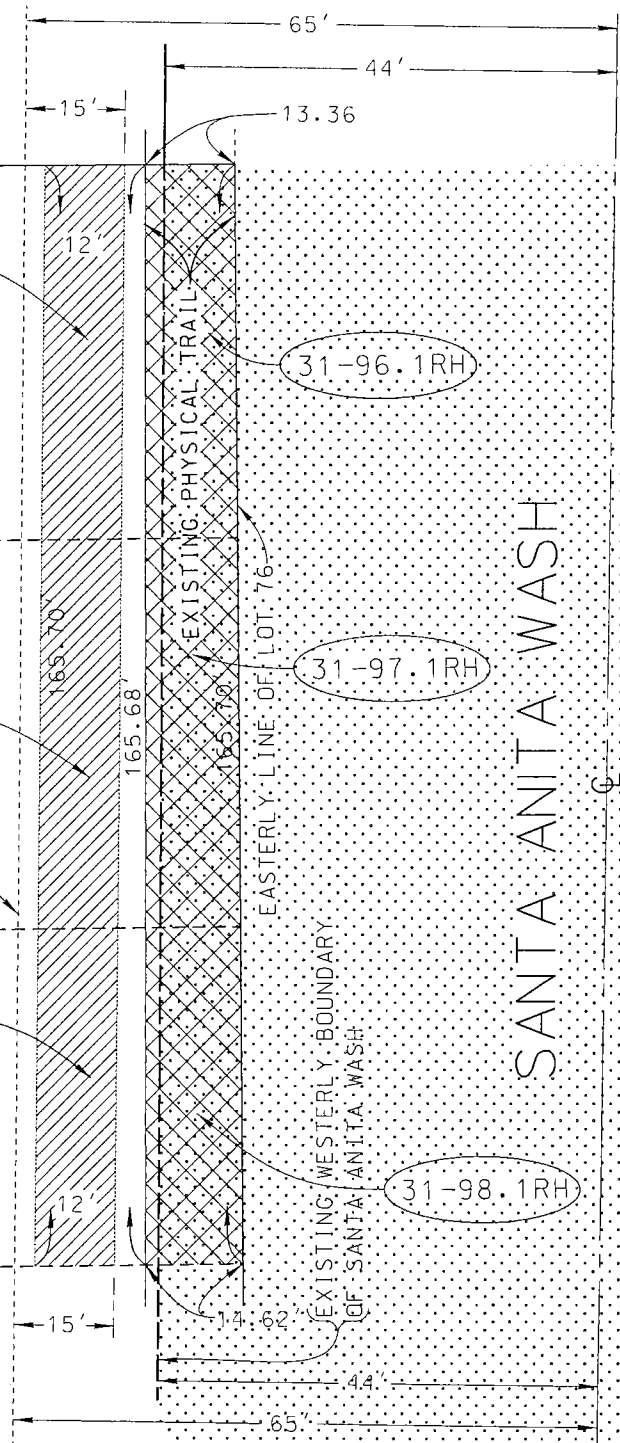
M1088112-2

SCALE
NONE

DATE
6-07-10

I.M.
144-277

RIDING AND HIKING TRAIL
EAST OF 8TH AVENUE



DETAIL
NOT TO SCALE